

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN A. PINO,	:	
Plaintiff	:	CIVIL ACTION NO. 3:15-1172
v.	:	(MANNION, D.J.) (CARLSON, M.J.)
MICHAEL CAREY, et al.,	:	
Defendants	:	

ORDER

As set forth in the memorandum issued this same day, **IT IS HEREBY**

ORDERED THAT:

- (1) Magistrate Judge Carlson's report and recommendation is **ADOPTED** in its entirety;
- (2) the plaintiff's motion to proceed in forma pauperis, (Doc. [2](#)), is **GRANTED**;
- (3) the plaintiff's complaint, (Doc. [1](#)), is **DISMISSED** without prejudice, with respect to defendants Hand, Alexander, Letcavage, Aponick, Kyper, and Hamilton for failure to state a claim upon which relief can be granted.
- (4) the court will remand the matter to Judge Carlson for further case

management related to the plaintiff's July 9, 2015, amended complaint, (Doc. [9](#)), for filing.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: December 4, 2015

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2015 MEMORANDA\15-1172-01-ORDER.wpd